

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **George Bodrie v Teresa Bodrie**
Docket No. **266987**
L.C. No. **02-021205 DM**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

This appeal is DISMISSED for lack of jurisdiction because the August 25, 2005, order is a postjudgment order, not a final order, that does not affect the custody of a minor. MCR 7.202(6)(a)(i), MCR 7.202(6)(a)(iii), and MCR 7.203(A)(1). The issue in this case is what type of appeal is the appellant trying to file. The conclusion is a claim of appeal. The title on the pleading filed is associated with a claim of appeal, not an application for leave to appeal. Furthermore, twice within the document appellant asserts he is appealing as of right. See page ii and page 2. Finally, the Court would note in passing that a claim of ineffective assistance of counsel does not apply to divorce cases. That is a criminal law concept, not a civil law concept involving two private parties.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

January 11, 2006
Date

Sandra Schultz Mengel
Chief Clerk